

AN ORDINANCE 9 9 0 7 0

SELECTING CARTER & BURGESS, INC., TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SINCLAIR ROAD AT ROSILLO CREEK PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$233,670.00; AUTHORIZING \$23,367.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$257,037.00 FROM 2003-2007 STORM WATER REVENUE BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The firm of Carter & Burgess, Inc. is hereby selected to provide engineering services in connection with the Sinclair Road at Rosillo Creek Project. A copy of the proposal is attached hereto and incorporated herein for all purposes as Attachment I.

SECTION 2. City staff is authorized and directed to commence negotiations with said firm to reach an agreement on a contract for such work at a fair and reasonable price not to exceed \$257,037.00.

SECTION 3. If a contract can be negotiated in accordance with the terms of the standard form contract for engineering services, appearing in substantially the same form as Attachment II attached hereto and incorporated herein for all purposes, and in accordance with the price provisions contained herein, the City Manager or her designee is authorized to execute such an agreement without further Council action. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent Ordinance. If so, City Council must approve the contract terms and insure that the compensation provided meets the legal requirements set out in Section 2254.004 of the Texas Government Code.

SECTION 4. The following financial adjustments are hereby authorized to effect this Ordinance:

- a) The amount of \$233,670.00 is appropriated in fund 45-802011, 2003 Drainage Bonds, in index code 781062, entitled Engineering Contract, and is authorized to be encumbered and made payable to Carter & Burgess, Inc., for engineering services in connection with the Sinclair Road at Rosillo Creek project, contingent upon the sale of General Obligation Bonds.
- b) The amount of \$23,367.00 is appropriated in fund 45-802011, 2003 Drainage Bonds, in index code 781070, entitled Engineering Contingency, and is authorized to be encumbered

and made payable for design contingency expenses in connection with the Sinclair Road at Rosillo Creek project, contingent upon the sale of General Obligation Bonds.

SECTION 5. This Ordinance is also a declaration of the City's official intent to reimburse itself from the proceeds derived from the sale of General Obligation Bonds, Certificates of Obligation, or other sources of revenue or financing, for any authorized expenditures previously incurred from lawfully available funds of the City.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. This ordinance shall take effect on April 18, 2004.


PASSED AND APPROVED this the 8th day of April, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney